



**ERIC GIBSON**  
DIRECTOR

## County of San Diego

### DEPARTMENT OF PLANNING AND LAND USE

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### MITIGATED NEGATIVE DECLARATION

September 24, 2009

Project Name: Fallbrook Oaks Major Subdivision (18 Lots)

Project Number(s): 3800 05-006 (GPA), 3600 05-015 (REZ), 3100 5449 (TM), 3500 07-009 (STP), 3000 08-054 (AD)

**This Document is Considered Draft Until it is Adopted by the Appropriate  
County of San Diego Decision-Making Body.**

This Mitigated Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study Form
  - b. Environmental Analysis Form and attached extended studies for Biology, Cultural Resources, Traffic, Fire Protection, Drainage/Hydrology, Stormwater Management and Noise.
1. California Environmental Quality Act Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before

the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.

2. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

A. TRANSPORTATION

1. The payment of the Transportation Impact Fee, which will be required at issuance of building permits, in combination with other components of this program, will mitigate potential cumulative traffic impacts to less than significant.

B. BIOLOGY

1. Prior to the approval of any plans, issuance of any permits, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following "Specific Environmental Items" have been indicated on the grading, and or improvement plans:

(Biological)

- (a) The grading, and or improvement plans, shall indicate permanent fences or walls along the open space boundary of lots(s) 3, 4, 5, 17 and 18 as shown on the Open Space Fencing and Signage Plan dated **September 15, 2009** on file with the Department of Planning and Land Use as Environmental Review Number ER 05-02-029.
  - (1) The fence or wall shall be a minimum of four feet (4') high and consist of split rail, three wire strand or similar. Any change in construction materials and fence or wall design shall be approved by the Department of Planning and Land Use prior to installation.
- (b) The grading, and or improvement plans shall indicate open space signs along the open space boundary of lots(s) 3, 4, 5, 17 and 18 as shown on the Open Space Fencing and

Signage Plan dated **September 15, 2009** on file with the Department of Planning and Land Use as Environmental Review Number ER 05-02-029.

- (1) The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

**“Sensitive Environmental Resources  
Area Restricted by Easement**

Unauthorized Entry is Restricted. To report a violation or for more information about easement restrictions and exceptions contact the County of San Diego,  
Department of Planning and Land Use  
Reference: (ER 05-02-029)”

- (c) The grading, and or improvement plans, shall indicate Temporary Orange Construction fencing to protect from inadvertent disturbance of all open space easements that do not allow grading, brushing or clearing. The fencing shall be placed along the open space boundary of lots(s) 4, 5, 17, and 18 as shown on the Open Space Fencing and Signage Plan dated **September 15, 2009** on file with the Department of Planning and Land Use as Environmental Review Number ER 05-02-029.

4. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following “Specific Environmental Notes” have been placed on the grading, and or improvement plans:

(Biological)

- a. “Prior to the commencement of any grading and or clearing in association with this grading plan, temporary orange construction fencing shall be placed to protect from inadvertent disturbance of all open space easements that do not allow grading, brushing or clearing. Temporary fencing is also required in all locations of the project where proposed grading or clearing is within 100 feet of an open space

easement boundary. The temporary fencing shall be removed after the conclusion of such activity.”

- b. “Restrict all brushing, clearing and/or grading such that none will be allowed within 300 feet of oak woodland habitat during the breeding season of the raptor. This is defined as occurring between January 15 and July 15. The Director of Planning and Land Use may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Game, that no raptors are present in the vicinity of the brushing, clearing or grading.”

- 5. “Prior to the conclusion of grading activities and Final Grading Release, provide evidence to the satisfaction of the Director of Planning and Land Use that the permanent fences or walls, and open space signs have been placed along the biological open space boundary of lots(s) 3, 4, 5, 17 and 18 as shown on these plans and the Open Space Fencing and Signage Plan dated on file with the Department of Planning and Land Use as Environmental Review Number ER 05-02-029.”

- a. Evidence shall be site photos and a statement from a California Registered Engineer, or licensed surveyor that the permanent walls or fences, and open space signs have been installed.
- b. The signs must be corrosion resistant, a minimum of 6” x 9” in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

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- 6. Prior to any grading, clearing, or construction activities and, prior to the preconstruction conference, provide evidence to the satisfaction of the Director of Planning and Land Use, that the following

"Agency Permits" have been obtained, or evidence that such permits are not required:

- a. "Provide the Director of Planning and Land Use with a copy of a Clean Water Act, Section 401/404 permit issued by the California Regional Water Quality Control Board and the U.S. Army Corps of Engineers for all project related disturbances of waters of the U.S. and/or associated wetlands or provide evidence satisfactory to the Director of Planning and Land Use that such permit is not required."
  - b. "Provide the Director of Planning and Land Use with a copy of a Streambed Alteration Agreement issued by the California Department of Fish and Game for all project related disturbances of any streambed or provide evidence satisfactory to the Director of Planning and Land Use that such an agreement is not required."
7. Prior to approval of grading and/or improvement plans, and prior to approval of the Final Map 5449, the applicant shall grant to the County of San Diego by separate document, an open space easement as shown on the Open Space Exhibit dated \_\_\_\_\_ on file with the Department of Planning and Land Use as Environmental Review Number ER 05-02-029. This easement is for the protection of biological resources and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. Granting of this open space authorizes the County and its agents to periodically access the land to perform management and monitoring activities for the purposes of species and habitat conservation.

The sole exception(s) to this prohibition is:

- a. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard. While clearing for fire management is not anticipated with the creation of this easement, such clearing may be deemed necessary in the future for the safety of lives and property. All fire clearing shall be pursuant to the Uniform Fire Code

and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts and any subsequent amendments thereto.

- b. Activities conducted pursuant to a revegetation or habitat management plan approved by the Director of Planning and Land Use or the Director of Public Works.
  - c. Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the Department of Environmental Health of the County of San Diego.
  - d. Maintenance and construction of private and public drainage facilities to the extent approved or required by written order of the Director of Public Works for the express purpose of reducing an identified flooding or drainage hazard. All maintenance of drainage facilities pursuant to this exception shall not be initiated until all applicable federal, state and local permits (e.g., California Section 1600 Streambed Alteration Agreement, County Watercourse Permit) have been obtained.
8. Prior to approval of grading and/or improvement plans, and prior to approval of the Final Map 5449, Grant by separate document to the County of San Diego a Limited Building Zone Easement as shown on the Open Space Exhibit dated **September 15, 2009** on file with the Department of Planning and Land Use as Environmental Review Number ER 05-02-029. The purpose of this easement is to limit the need to clear or modify vegetation for fire protection purposes within the adjacent biological open space easement and prohibits the construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are:
- a. Structures designed or intended for occupancy by humans or animals located no less than 100 feet from the nearest biological open space easement boundary, provided that the structures meet the minimum Fire-Resistive Construction Requirements as defined by the Fire Protection Authority (FPA) having jurisdiction over the property and that FPA has approved in writing a reduction in the vegetation clearing/fuel

modification requirements so that they will not be required within any portion of the biological open space easement.

- b. Decking, fences, and similar facilities.
  - c. Sheds, gazebos, and detached garages, less than 250 square feet in total floor area, that are designed, constructed and placed so that they do not require clearing or fuel modification within the biological open space easement, beyond the clearing/fuel modification required for the primary structures on the property.
9. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Planning and Land that 4.8 acres of coast live oak woodland habitat credit has been secured in a mitigation bank approved by the California Department of Fish & Game, located in the northern foothills eco region. Evidence of purchase shall include the following information to be provided by the mitigation bank:
- a. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
  - b. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
  - c. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
  - d. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

**-OR-**

Provide for the conservation and habitat management of a minimum of 4.8 acres of coast live oak woodland habitat located in

the northern foothills eco region. A Resource Management Plan (RMP) for the coast live oak woodland habitat must be submitted and approved by the Director of the Department of Planning and Land Use. The plan shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Requirement Guidelines. An open space easement over the acquired habitat must be dedicated to the County of San Diego prior to or immediately following the approval of the RMP. Alternatively, proof that a federal, state or local government agency with the primary mission of resource management has taken fee title to the land will be accepted in lieu of an easement.

10. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Planning and Land that 8.6 acres of Non native grasslands or sage scrub/chaparral habitat credit has been secured in a mitigation bank approved by the California Department of Fish & Game, located in the northern foothills eco region.. Evidence of purchase shall include the following information to be provided by the mitigation bank:
  - a. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
  - b. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
  - c. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
  - d. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

**-OR-**



Provide for the conservation and habitat management of a minimum of 8.6 acres of non native grassland or sage scrub/chaparral habitat located in the northern foothills eco region. A Resource Management Plan (RMP) for the non native grassland or sage scrub/chaparral habitat must be submitted and approved by the Director of the Department of Planning and Land Use. The plan shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Requirement Guidelines. An open space easement over the acquired habitat must be dedicated to the County of San Diego prior to or immediately following the approval of the RMP. Alternatively, proof that a federal, state or local government agency with the primary mission of resource management has taken fee title to the land will be accepted in lieu of an easement.

11. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Planning and Land that 0.3 acres of southern coast live oak riparian forest habitat credit has been secured in a mitigation bank approved by the California Department of Fish & Game, located in the northern foothills eco region. Evidence of purchase shall include the following information to be provided by the mitigation bank:
  - a. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
  - b. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
  - c. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
  - d. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

**-OR-**

Provide for the conservation and habitat management of a minimum of 0.3 acres of southern coast live oak riparian forest habitat located in the northern foothills eco region. A Resource Management Plan (RMP) for the southern coast live oak riparian forest habitat must be submitted and approved by the Director of the Department of Planning and Land Use. The plan shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Requirement Guidelines. An open space easement over the acquired habitat must be dedicated to the County of San Diego prior to or immediately following the approval of the RMP. Alternatively, proof that a federal, state or local government agency with the primary mission of resource management has taken fee title to the land will be accepted in lieu of an easement.

12. Prior to approval of grading and/or improvement plans, and prior to approval of the Final Map 5449, provide evidence to the satisfaction of the Director of Planning and Land Use that the following "Agency Permits" have been obtained:
  - a. Provide the Director of Planning and Land Use with a copy of a Clean Water Act, Section 401/404 permit issued by the California Regional Water Quality Control Board and the U.S. Army Corps of Engineers for all project related disturbances of waters of the U.S. and/or associated wetlands or provide evidence satisfactory to the Director of Planning and Land Use that such permit is not required.
  - b. Provide the Director of Planning and Land Use with a copy of a Streambed Alteration Agreement issued by the California Department of Fish and Game for all project related disturbances of any streambed or provide evidence satisfactory to the Director of Planning and Land Use that such an agreement is not required.
13. The building plans, shall indicate permanent fences or walls along the open space boundary of lots(s) 3, 4, 5, 17 and 18 as shown on the Open Space Fencing and Signage Plan dated **September 15, 2009** on file with the Department of Planning and Land Use as Environmental Review Number ER 05-02-029.

- a. The fence or wall shall be a minimum of four feet (4') high and consist of split rail, three strand wire or similar. Any change in construction materials and fence or wall design shall be approved by the Department of Planning and Land Use prior to installation.
- b. The building plans shall indicate open space signs along the open space boundary of lots(s) 3, 4, 5, 17 and 18 as shown on the Open Space Fencing and Signage Plan dated on file with the Department of Planning and Land Use as Environmental Review Number ER 05-02-029.
  - (1) The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

**“Sensitive Environmental Resources  
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for more information about easement restrictions and  
exceptions contact the County of San Diego,  
Department of Planning and Land Use  
Reference: (ER 05-02-029)”

C. PALEONTOLOGICAL RESOURCES

1. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following “Specific Environmental Notes” have been placed on the grading, and or improvement plans:

(Paleontological Resources)

- a. “The Qualified Paleontologist or Qualified Paleontological Resources Monitor shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the Paleontological Resources Mitigation Program.”
- b. “During the original cutting of previously undisturbed deposits for the project, both on and off site, the Qualified

Paleontological Resources Monitor shall be on-site to monitor as determined necessary by the Qualified Paleontologist.”

- c. “If paleontological resources are encountered during grading/excavation:
  - (1) The Qualified Paleontological Resources Monitor shall have the authority to direct, divert, or halt any grading/excavation activity until such time that the sensitivity of the resource can be determined and the appropriate salvage implemented.
  - (2) The Qualified Monitor shall immediately contact the Qualified Paleontologist.
  - (3) The Qualified Paleontologist shall contact the County’s Permit Compliance Coordinator immediately.
  - (4) The Qualified Paleontologist shall determine if the discovered resource is significant. If it is not significant, grading/excavation shall resume.”
- d. “If the paleontological resource is significant or potentially significant, the Qualified Paleontologist or Qualified Paleontological Resources Monitor, under the supervision of the Qualified Paleontologist, shall complete the following tasks in the field:
- e. Salvage unearthed fossil remains, including simple excavation of exposed specimens or, if necessary, plaster-jacketing of large and/or fragile specimens or more elaborate quarry excavations of richly fossiliferous deposits;
- f. Record stratigraphic and geologic data to provide a context for the recovered fossil remains, typically including a detailed description of all paleontological localities within the project site, as well as the lithology of fossil-bearing strata within the measured stratigraphic section, if feasible, and photographic documentation of the geologic setting; and
- g. Transport the collected specimens to a laboratory for processing (cleaning, curation, cataloging, etc.).

- h. "Prior to Rough Grading Inspection Sign-off, provide evidence that monitoring for paleontological resources has been completed. Evidence shall be in the form of a letter from the Qualified Paleontologist to the Director of Planning and Land Use."
- i. "Prior to Final Grading Release:"
  - (1) "If **no** paleontological resources were discovered, submit a letter report from the Qualified Paleontologist to the director of Planning and Land Use stating that the monitoring has been completed and that no paleontological resources were discovered."
  - (2) "If paleontological resources were discovered, the Following tasks shall be completed by or under the supervision of the Qualified Paleontologist:
    - (i) Prepare collected fossil remains for curation, to include cleaning the fossils by removing the enclosing rock material, stabilizing fragile specimens using glues and other hardeners, if necessary, and repairing broken specimens;
    - (ii) Curate, catalog and identify all fossil remains to the lowest taxon possible, inventory specimens, assigning catalog numbers, and enter the appropriate specimen and locality data into a collection database;
    - (iii) Submit a detailed report prepared by the Qualified Paleontologist in the format provided in Appendix D of the County of San Diego's Guidelines for Determining Significance for Paleontological Resources and identifying which accredited institution has agreed to accept the curated fossils. Submit TWO hard copies of the final Paleontological Resources Mitigation Report to the Director of DPLU for final approval of the mitigation, and submit an electronic copy of the complete report in Microsoft Word on a CD. In addition, submit

one copy of the report to the San Diego Natural History Museum and one copy to the institution that received the fossils.”

- (iv) “Transfer the cataloged fossil remains and copies of relevant field notes, maps, stratigraphic sections, and photographs to an accredited institution (museum or university) in California that maintains paleontological collections for archival storage and/or display, and submit Proof of Transfer of Paleontological Resources, in the form of a letter, from the director of the paleontology department of the accredited institution to the Director of DPLU verifying that the curated fossils from the project site have been received by the institution.”

**-OR-**

“Enter into a Secured Agreement with the County of San Diego, Department of Planning and Land Use, secured by a letter of credit, bond, or cash for 150 percent of the estimated costs associated with the preparation of the Final Paleontological Resources Mitigation Program Report that documents the results, analysis, and conclusions of all phases of the Program, and a 10 percent cash deposit not to exceed \$15,000. A detailed cost estimate shall be prepared by the Qualified Paleontologist to the satisfaction of the Director of Planning and Land Use for the cost of curating the fossils, preparing the Final Paleontological Resources Mitigation Program Report, and transferring the collection to the accredited institution that has agreed to accept the collection.”

2. Prior to recordation of the final map, and prior to approval of any grading or improvement plans, or issuance of any grading permits, the subdivider shall implement the following relating to the paleontological grading monitoring program, to mitigate potential impacts to undiscovered buried paleontological resources on the

Project site. The following implementation shall be to the satisfaction of the Director of Planning and Land Use:

- a. Provide evidence that a County approved Paleontologist ("Project Paleontologist") has been contracted to implement a grading monitoring and potential data recovery program which complies with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements, to the satisfaction of the Director of Planning and Land Use.
- b. The Contract shall include a cost estimate of the required monitoring; this estimate shall be submitted to the Director of Public Works and included in the Bond Cost Estimate for the required Grading.

#### D. NOISE

1. On the Final Parcel Map, grant to the County of San Diego a perpetual Noise Protection Easement, as shown on Tentative Map 5449. The easement shall be placed over the entire area of Lot 18. The easement is for the mitigation of present and anticipated future excess noise levels on residential uses of the affected Lot.

"Said Noise Protection easement requires that before the issuance of any building or grading permit for any residential use within the noise protection easement located on Lot 18", the applicant shall:

- a. Complete to the satisfaction of the Director of the Department of Planning and Land Use, an acoustical analysis performed by a County approved acoustical engineer, demonstrating that the present and anticipated future noise levels for the interior and exterior of the residential dwelling will not exceed the allowable sound level limit of the Noise Element of the San Diego County General Plan [exterior (60 dB CNEL), interior (45 dB CNEL)]. Future traffic noise level estimates for Reche Road shall use a traffic flow equivalent to a Level of Service "C" traffic flow for a Collector road that is the designated General Plan Circulation Element buildout roadway classification.
- b. Incorporate to the satisfaction of the Director of the Department of Planning and Land Use all of the

recommendations or mitigation measures of the acoustical analysis into the project design and building plans.

2. Prior to issuance of any building permit for any residential use located on Lot 18, the applicant shall:
  - a. Complete to the satisfaction of the Director of the Department of Planning and Land Use, an acoustical analysis performed by a County approved acoustical engineer, demonstrating that the present and anticipated future noise levels for the interior and exterior of the residential dwelling will not exceed the allowable sound level limit of the Noise Element of the San Diego County General Plan [exterior (60 dB CNEL), interior (45 dB CNEL)]. Future traffic noise level estimates for Reche Road shall use a traffic flow equivalent to a Level of Service "C" traffic flow for a Collector road that is the designated General Plan Circulation Element buildout roadway classification.
  - b. Incorporate to the satisfaction of the Director of the Department of Planning and Land Use all of the recommendations or mitigation measures of the acoustical analysis into the project design and building plans.

3. Critical Project Design Elements That Must Become Conditions of Approval:

The following project design elements were either proposed in the project application or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant environmental effects.

**Tentative Map**

**PLANS AND SPECIFICATIONS**

**(Street Improvements and Access)**

1. Standard Conditions 1 through 10 and 12.
2. Specific Conditions:



- a. Improve or agree to improve and provide security for the construction of **Reche Road** along the project's southeasterly boundary in accordance with the Public Rural Collector Road Standards, to a one-half graded width of forty-two (42') from centerline with twenty feet (20') of asphalt concrete pavement over approved base, with 6" AC berm and ten foot (10') DG pathway, with face of 6" AC berm at twenty feet (20') from centerline, and with berm returns at the intersections with Ranger Road and Valley Oaks Boulevard North. The bike lane will be 8' wide to serve to be a combination bike lane/emergency parking shoulder. The dry utilities shall be located under or behind the 10 foot DG pathway. Provide grading and improvements to meet County Pathway Standards. All of the above shall be to the satisfaction of the Director of Public Works.
- b. Improve, or agree to improve and provide security for **Ranger Road** along the project frontage, in accordance with Public Residential Collector Road Standards, to a graded on-half width of thirty feet (30') with twenty feet (20') of asphalt concrete pavement over approved base, with 6" AC berm, with face of 6" AC berm at twenty feet (20') from centerline. Provide transitions, drainage and other provisions on- and offsite to meet: intersectional improvements including curb returns with Reche Road on the south end and on the north end meet the existing improvements of Ranger Road. All of the above shall be to the satisfaction of the Director of Public Works.
- c. Improve or agree to improve and provide security for the to-be-named private road "**Valley Oaks Boulevard North**" from Reche Road northerly to northwest corner of Lot 15, to a graded width of forty feet (42') with thirty-two feet (32') of asphalt concrete pavement over approved base with twenty-foot (20) on east side of the centerline and twelve feet (12') on west side of the centerline. The improvement and design standards of Section 3.1(B) of the County Standards for Private Streets for seven hundred fifty (750) trips or less shall apply to the satisfaction of the Director of Public Works.
- d. Improve or agree to improve and provide security for the private easement road, **Keystone Oaks Road**, northeasterly and northwesterly to a terminus cul-de-sac at Lot 10, to a graded width of forty feet (40') with thirty-two feet (32') of asphalt concrete pavement over approved base. The improvement and design

standards of Section 3.1(C) of the County Standards for Private Streets for one hundred one (101) to seven hundred fifty (750) trips shall apply to the satisfaction of the Director of Public Works. The street knuckle in the vicinity of Lots 3, 4, 5, and 14 shall comply with San Diego Design Standard DS-15. All of the above shall be to the satisfaction of the Director of Public Works.

- e. Keystone Oaks Road shall terminate at Lot 10 with a cul-de-sac graded to a radius of forty-four feet (44') and surfaced to a radius of forty-two feet (42') with asphalt concrete pavement over approved base.
- f. Improve or agree to improve and provide security for the private easement road, from Valley Oaks Blvd North northerly to Lot 18, to a graded width of twenty feet (20') with sixteen feet (16') of asphalt concrete pavement over approved base. The improvement and design standards of Section 3.1(C) of the County Standards for Private Streets for one hundred (100) or less trips shall apply to the satisfaction of the North County Fire Protection District and Director of Public Works.
- g. "Valley Oaks Boulevard North" shall have a hammerhead turnaround installed at the project's northwest corner (driveway of lot 15), and a hammerhead turnaround installed at private road easement serving lot 18 shall be graded and improved with asphalt concrete pavement over approved base with asphalt concrete, to the satisfaction of the Director of Public Works.
- h. A registered civil engineer, a registered traffic engineer, or a licensed land surveyor shall provide a signed statement that: "Physically, there is a minimum unobstructed sight distance along Valley Oaks Boulevard North from Keystone Oaks Road, driveway of Lot 15, 16, and private road easement serving lot 18 for the prevailing operating speed of traffic on Valley Oaks Boulevard North, per Section 6.1.E of the County Public Road Standards (approved July 14, 1999)". Any vegetation currently obstructing sight distance shall be removed or cut back. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required."
- i. A registered civil engineer, a registered traffic engineer, or a licensed land surveyor shall provide a signed statement that:

"Physically, there is a minimum unobstructed sight distance along Reche Road from Valley Oaks Boulevard North and Ranger Road for the prevailing operating speed of traffic on Reche Road, per Section 6.1.E of the County Public Road Standards (approved July 14, 1999)". Any vegetation currently obstructing sight distance shall be removed or cut back. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required."

- j. A registered civil engineer, a registered traffic engineer, or a licensed land surveyor shall provide a signed statement that: "Physically, there is a minimum unobstructed sight distance along Ranger Road from driveway of Lot 17 for the prevailing operating speed of traffic on Ranger Road, per Section 6.1.E of the County Public Road Standards (approved July 14, 1999)". Any vegetation currently obstructing sight distance shall be removed or cut back. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required."
- k. Asphalt concrete surfacing material shall be hand-raked and compacted to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing. The above shall be done to the satisfaction of the Director of Public Works.
- l. If guarded access is used along Keystone Oaks Road, it shall be in accordance with San Diego County Design Standards DS-17, DS-18 or DS-19 to the satisfaction of the North County Fire Protection District, and the Director of Public Works. Gate installed across Keystone Oaks Road, if any, is to conform to North County Fire Protection District Standards.

(Drainage and Flood Control)

- 3. Standard Conditions 13 through 18.
- 4. Specific Conditions:

- a. On-site and Off-site drainage easements shall be provided to the satisfaction of the Director of Public Works.
- b. A flowage easement shall be granted to the County of San Diego for those portions of all lots subject to inundation by a 100-year flood, from a drainage area in excess of one (1) square mile.
- c. The 100-year flood line of the natural channels crossing all lots with drainage watersheds in excess of twenty-five (25) acres shall be clearly delineated on the non-title information sheet of the Final Map.

(Stormwater)

5. Low Impact Development (LID) requirements apply to all priority development projects as of January 24, 2008. These requirements are found on page 19 (Section D.1.d. (4) a & b) of the Municipal Storm water Permit:

[http://www.waterboards.ca.gov/sandiego/water\\_issues/programs/stormwater/docs/sd\\_permit/r9\\_2007\\_0001/2007\\_0001final.pdf](http://www.waterboards.ca.gov/sandiego/water_issues/programs/stormwater/docs/sd_permit/r9_2007_0001/2007_0001final.pdf)

The draft LID Handbook is a source for LID information and is to be utilized by County staff and outside consultants for implementing LID in our region. You can access the Handbook at the following DPLU web address: <http://www.sdcounty.ca.gov/dplu/docs/LID-Handbook.pdf>. The handbook gives an overview of LID. Section 2.2 reviews County DPW planning strategies as they relate to requirements from the Municipal Permit. The Fact Sheets in the Appendix may be useful for information on all of the engineered techniques. Additional information can be found in the extensive Literature Index. For more information contact Stephanie Gaines, DPW, Watershed Planning Division at 858-694-3493 [Stephanie.Gaines@sdcounty.ca.gov].

6. On January 24, 2007, the San Diego Regional Water Quality Control Board (SDRWQCB) issued a new Municipal Stormwater Permit under the National Pollutant Discharge Elimination System (NPDES). The requirements of the Municipal Permit were implemented beginning January 25, 2008. *Project design shall be in compliance with the new Municipal Permit regulations.* The Low Impact Development (LID) Best Management Practices (BMP) Requirements of the Municipal Permit can be found at the following link on Page 19, Section D.1.d (4), subsections (a) and (b):

[http://www.waterboards.ca.gov/sandiego/water\\_issues/programs/stormwater/docs/sd\\_permit/r9\\_2007\\_0001/2007\\_0001final.pdf](http://www.waterboards.ca.gov/sandiego/water_issues/programs/stormwater/docs/sd_permit/r9_2007_0001/2007_0001final.pdf)

All priority projects must minimize directly connected impervious areas and promote biofiltration. D.1.d(4) subsections (a) and (b) are the minimal site design requirements that project applicants must address and implement. These can be summarized into the following four requirements:

- 1) Disconnect impervious surfaces.
- 2) Design impervious surfaces to drain into properly designed pervious areas.
- 3) Use pervious surfaces wherever appropriate.
- 4) Implement site design BMP's.

The applicant / engineer must determine the applicability and feasibility of each requirement for the proposed project and include them in the project design, unless it can be adequately demonstrated which (if any) of the requirements do not apply.

(Grading Plans)

7. Standard Conditions 19 (a-d).
8. Specific Conditions:
  - a. Obtain letters of permission for all offsite grading.
  - b. Comply with all applicable stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (Ordinance No. 9926) and all other applicable ordinances and standards. This includes requirements for Low Impact Development materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas greater than 1 acre require that the property owner keep additional and updated information onsite concerning stormwater

runoff. This requirement shall be to the satisfaction of the Director of Public Works.

- c. If it is determined that the project includes category 2 post-construction BMPs, the applicant will be required to establish a maintenance agreement/mechanism (to include easements) to assure maintenance of these BMPs and to provide security to back up maintenance pursuant to the County Maintenance Plan Guidelines to the satisfaction of the Director of Public Works.
- d. All of the work described above pertaining to erosion control, irrigation system, slope protection, drainage systems, desilting basins, energy dissipators, and silt control shall be secured by an Instrument of Credit in a form satisfactory to County Counsel for an amount equal to the cost of this work as determined or approved by the County Department of Public Works, in accordance with the County of San Diego Grading Ordinance. An agreement in a form satisfactory to County Counsel shall accompany the Instrument of Credit to authorize the County Department of Public Works to unilaterally withdraw any part of or all the Instrument of Credit to accomplish any of the work agreed to if it is not accomplished to the satisfaction of the County Department of Public Works by the date agreed. The cash deposit collected for grading, per the grading ordinance, will be used for emergency erosion measures. The developer shall submit a letter to the County Department of Public Works authorizing the use of this deposit for emergency measures.

#### DEVELOPMENT IMPACT FEES

9. Specific Conditions:

- a. Deposit with the County Department of Public Works sufficient funds to cover the cost of inspection of the private road improvements.

#### FAIR HOUSING

10. Standard Condition 20.

#### SANITATION

11. Standard Condition 21.

## FIRE PROTECTION AND WATER SUPPLY

12. Standard Condition 23.1 and 23.2.

## PLANNING AND ZONING ADMINISTRATION

13. Specific Conditions:

- a. Obtain a Zone Reclassification (R05-015) to the A70, Limited Agricultural Use Regulations or more restrictive use regulation by the Board of Supervisors. [DPLU – Regulatory Planning Division]
- b. Obtain an Administrative Permit for Lot Area Averaging from the Board of Supervisors. [DPLU - Regulatory Planning Division]
- c. Submit to and receive approval from the Director of Planning and Land Use a complete and detailed Landscape Plan. Landscape Plans shall be prepared by a California licensed landscape architect and shall fulfill the requirements of the Landscape Water Conservation Ordinance and Design Manual. The Landscape Plans and review fee shall be submitted to the Regulatory Planning Division, Zoning Counter. Plans shall include:
  - (1) Indication of the proposed width of any adjacent public right-of-way, and the locations of any required improvements and any proposed plant materials to be installed or planted therein. The applicant shall also obtain a permit from the Department of Public Works approving the variety, location, and spacing of all trees proposed to be planted within said right(s)-of-way. A copy of this permit and a letter stating that all landscaping within the said right(s)-of-way shall be maintained by the landowner(s) shall be submitted to the Department of Planning and Land Use.
  - (2) A complete planting plan including the names, sizes, and locations of all plant materials, including trees, shrubs, and groundcover. Wherever appropriate, native or naturalizing plant materials shall be used which can thrive on natural moisture. These plants shall be irrigated only to establish the plantings.
  - (3) A complete watering system including the location, size, and type of all backflow prevention devices, pressure and

non-pressure water lines, valves, and sprinkler heads in those areas requiring permanent irrigation system. For areas of native or naturalizing plant material, the Landscape Plan shall show a method of irrigation adequate to assure establishment and growth of plants through two growing seasons.

- (4) Spot elevations of the hardscape, building, and proposed fine grading of the installed landscape.
- (5) The location and detail of all walls, fences, and walkways shall be shown on the plans. A lighting plan and light standard details shall be included in the plans.

- d. Prior to approval of a Final Map, the subdivider shall provide evidence that all existing structures shown on the Tentative Map "to be removed or relocated on the site" have been removed/relocated to the satisfaction of the Director of Public Works.

#### FINAL MAP RECORDATION

Final Map requirements shall be shown on the Final Map or otherwise accomplished to the satisfaction of the Director of Public Works prior to submittal for approval by the Board of Supervisors:

(Streets and Dedication)

14. Standard Conditions 25, 26, 27, and 28.

15. Specific Conditions:

- a. With the Final Map, dedicate the project half of Reche Road, along the project frontage in accordance with Public Rural Collector Road Standards with Bike Lane for a one-half width of forty-two feet (42'), {including a twenty-foot (20') property line radii corner rounding at the intersection with Valley Oaks Boulevard North and Ranger Road} together with right to construct and maintain slopes and drainage facilities. All of the above shall be to the satisfaction of the Director of Public Works.
- b. With the Final Map, dedicate the project half of Ranger Road, along the project frontage in accordance with Public Residential Collector Road Standards for a one-half width of thirty feet (30'), {including a



twenty-foot (20') property line radii corner rounding at the intersection with Reche Road} together with the right to construct and maintain slopes and drainage facilities. All of the above shall be to the satisfaction of the Director of Public Works.

- c. With the Final Map, Execute an Irrevocable Offer to Dedicate Real Property, the project half of "Valley Oaks Boulevard North", along the project frontage in accordance with Public Residential Collector Road Standards for a one-half width of thirty feet (30'), together with right to construct and maintain slopes and drainage facilities. All of the above shall be to the satisfaction of the Director of Public Works.
- d. With the Final Map, Execute an Irrevocable Offer to Dedicate Real Property "Valley Oaks Boulevard North" off-site to a width of thirty-foot (30') contiguous with the above thirty feet (30'), dedication to provide a minimum sixty foot right-of-way for "Valley Oaks Boulevard North" along the project frontage.
- e. Relinquish access rights along Reche Road to the satisfaction of the Director of Public Works.
- f. Show one foot (1') access restriction easement along Valley Oaks Blvd North (frontage on Lot 1, 11, and 14). [DPW]
- g. Contact Route Locations of the Department of Public Works to determine the desired location of the centerline of Reche Road (SF 1416), which is shown on the Circulation Element of the County General Plan as a Rural Collector Road with Bike. The following shall be shown on the Final Map:
  - (1) The centerline location as approved by the Department of Public Works.
- h. Because private roads are approved as a condition of this subdivision, the following shall apply:
  - (1) Maintenance shall be provided through a private road maintenance agreement satisfactory to the Director of Public Works.
  - (2) The Director of Public Works shall be notified as to the final disposition of title (ownership) to each private road, and

place a note on the Final Map as to the final title status of said roads.

(3) Access to each lot shall be provided by private road easement not less than forty feet (40') wide.

- i. Prior to approval of improvement and/or grading plans, issuance of excavation permits, and issuance of any further grant of approval, the owners of this project will be required to sign a statement that they are aware of the County of San Diego, Department of Public Works, Pavement Cut Policy and that they have contacted all adjacent property owners and solicited their participation in the extension of utilities.
- j. The Basis of Bearings for the Subdivision Map shall be in terms of the California Coordinate System Zone 6 NORTH AMERICAN DATUM OF 1983 by use of existing Horizontal Control stations with first order accuracy to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.811).
- k. The Subdivision Map shall be prepared to show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California coordinate values of first order accuracy as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of Ground-to-Grid distances shall be shown on the map, all to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.811 and 81.506(j)).

16. Specific Conditions:

- a. No lot shall contain a net area of less than one acre except for Lots 2, 8 and 12, which shall not contain a net area of less than 0.90 acres. [DPLU - Regulatory Planning Division]
- b. No lot shall contain a gross area of less than one acre. [DPLU - Regulatory Planning Division]

**Site Plan**

- A. Prior to obtaining any building or other permit pursuant to this Site Plan, and prior to commencement of construction or use of the property in reliance on this Site Plan, the applicant shall:
1. Pay off all existing deficit accounts associated with processing this application to the satisfaction of the Department of Planning and Land Use.
  2. Submit evidence to the satisfaction of the Director of Planning and Land Use (Building Division) that all "Prior to Use or Occupancy" conditions C.1 through C.6 of this Site Plan have been printed on a separate sheet of all building plans associated with this Site Plan:
    - (a) The conditions shall be printed on a separate sheet of the building plans.
    - (b) The Directors of Public Works or Planning and Land Use may waive this condition to allow the issuance of a grading permit. The requirement shall be met before the issuance of any building permit.
  3. Submit to and receive approval from the Director of Planning and Land Use a complete and detailed Landscape Plan. Landscape Plans shall be prepared by a California licensed landscape architect and shall fulfill the requirements of the Landscape Water Conservation Ordinance and Design Manual. The Landscape Plans and review fee shall be submitted to the Regulatory Planning Division, Zoning Counter. Plans shall include:
    - (a) Indication of the proposed width of any adjacent public right-of-way, and the locations of any required improvements and any proposed plant materials to be installed or planted therein. The applicant shall also obtain a permit from the Department of Public Works approving the variety, location, and spacing of all trees proposed to be planted within said right(s)-of-way. A copy of this permit and a letter stating that all landscaping within the said right(s)-of-way shall be maintained by the landowner(s) shall be submitted to the Department of Planning and Land Use.
    - (b) A complete planting plan including the names, sizes, and locations of all plant materials, including trees, shrubs, and

groundcover. Wherever appropriate, native or naturalizing plant materials shall be used which can thrive on natural moisture. These plants shall be irrigated only to establish the plantings.

- (c) A complete watering system including the location, size, and type of all backflow prevention devices, pressure and non-pressure water lines, valves, and sprinkler heads in those areas requiring permanent irrigation system. For areas of native or naturalizing plant material, the Landscape Plan shall show a method of irrigation adequate to assure establishment and growth of plants through two growing seasons.
  - (d) Spot elevations of the hardscape, building, and proposed fine grading of the installed landscape.
  - (e) The location and detail of all walls, fences, and walkways shall be shown on the plans. A lighting plan and light standard details shall be included in the plans.
- 4. File and receive approval of a final subdivision map of the property pursuant to TM 5449RPL<sup>1</sup> or subsequent revision thereof.
- 5. Furnish the Director of Planning and Land Use a letter from the Director of the Department of Public Works stating Conditions A.1 and A.4 have been complied with to that Department's satisfaction.
- B. Prior to any occupancy or use of the premises pursuant to this Site Plan, the applicant shall:
  - 1. Improve all parking areas and driveways shown on the approved plot plan with a minimum of two inches asphaltic concrete or a surfacing of a more durable type.
  - 2. Submit to the Director of Planning and Land Use a statement from the project California licensed landscape architect that all landscaping has been installed as shown on the approved landscape planting and irrigation plans.
  - 3. Furnish the Director of Planning and Land Use, along with their request for final inspection, a letter from the Director of Public

Works, stating that Condition B.1 has been completed to that Department's satisfaction.

4. Design and adjust all light fixtures to reflect light downward, away from any road or street, and away from any adjoining premises, and shall otherwise conform to Sections 6324 and 6326 of The Zoning Ordinance.

C. The following conditions shall apply during the term of this Site Plan:

1. All future accessory structures will only be permitted pursuant to County Zoning Ordinance Section 4835.
2. The parking areas and driveways shall be well maintained.
3. The landscaping shall be adequately watered and well maintained at all times.
4. Comply with all applicable stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (**Ordinance No. 9926**) and all other applicable ordinances and standards. This includes requirements for Low Impact Development (LID), materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas 1 acre or greater require that the property owner keep additional and updated information onsite concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.
5. The project shall conform to the approved plot plan(s). Failure to conform to the approved plot plan(s); is an unlawful use of the land, and will result in enforcement action pursuant to Zoning Ordinance Section 7703.

September 24, 2009

**ADOPTION STATEMENT:** This Mitigated Negative Declaration was adopted and  
above California Environmental Quality Act findings made by the:

\_\_\_\_\_

on \_\_\_\_\_

Rich Grunow, Planning Manager  
Project Planning Division

RG:MS